

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

**THE BANK OF NEW YORK MELLON
f/k/a THE BANK OF NEW YORK, AS
TRUSTEE FOR FIRST HORIZON
ALTERNATIVE MORTGAGE
SECURITIES TRUST 2004-AA5,**

Plaintiff

v.

CASE No. 1:17-cv-00031-S-PAS

**CHRISTOPHER PEMENTAL,
BARRINGTON HISTORICAL
SOCIETY, LLC and all other unknown
successors, assigns or distributees of
BARRINGTON HISTORICAL
SOCIETY, LLC,**

Defendants

**AFFIDAVIT OF SUSAN W. CODY IN
SUPPORT OF MOTION FOR SUMMARY JUDGMENT**

I, Susan W. Cody, depose on oath as follows:

1. I am attorney associated with the law firm of Korde & Associates, P.C. (the "Firm") in Lowell, Massachusetts and have been duly licensed to practice law in the State of Rhode Island since 1999 (RI Bar # 6150).

2. The Firm maintains an electronic case management system ("CMS") in which attorneys and legal assistants acting under the direction of the Firm's attorneys enter all case-related activity simultaneously or nearly simultaneously with the occurrence of such activity. CMS identifies the name of the attorney or legal assistant making the entry, the date and time such entry is made and a description of the activity (i.e., pleading filed, notice or correspondence sent, phone call received, etc.) as entered by the attorney or assistant making the entry. In addition,

copies of pleadings, notices, affidavits, title examinations, title rundowns, correspondence and other documents relating to the case are uploaded to CMS.

3. In the course of preparing this affidavit, I have consulted the Firm's CMS system and the documents uploaded to such system in connection with the foreclosure action referenced in the Complaint.

4. On April 1, 2016, BNY-Mellon, through its attorneys, Korde & Associates, P.C., sent Pemental Notices of Acceleration via first class and certified mail. True and accurate copies of said Notices are attached to the Complaint as Exhibit 8. See Complaint, ¶ 20.



Susan W. Cody, Esq.

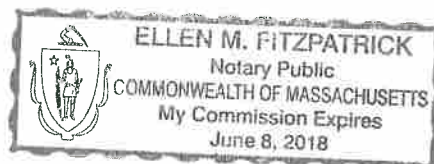
COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLESEX

On this 9th day of ~~March~~^{April}, 2018, before me, the undersigned Notary Public, personally appeared Susan W. Cody, personally known to the Notary to be the person who signed above in my presence and who swore or affirmed to the Notary that the contents of the document are truthful to the best of her knowledge.

Notary Public: 

My commission expires: 6/8/2018



CERTIFICATE OF SERVICE

I hereby certify that on April 11, 2018, I caused this document to be filed through the electronic filing system with electronic service completed on all parties registered therein to receive notice in this case.

The document electronically filed and served is available for viewing and/or downloading from the United State District Court for the District of Rhode Island's Electronic Case Filing System.

/s/ Walter H. Porr, Jr., Esq.
Walter H. Porr, Jr., Esq.,